10/525712
JT12 Rec'd PCT/PTO 17 FEB 2005

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14th September 2004

OUR REF: PB-46676

BY FACSIMILE

Original by Mail

YOUR REF:

Dear Sirs,

Re: International Patent Application No. PCT/GB03/03654
In the name Phoqus Pharmaceuticals Limited

We refer to the Written Opinion dated 14th June 2004 and file herewith new page 26 to replace page 26 currently on file.

The examiner will note claim 1 has been amended to claim the use of a highly water-soluble sugar in an aqueous solution of citric acid as a binder for the granulation of tablet excipients to reduce the sticking of the tablet excipients when subject to compression.

D1 is concerned with the production of instant granules which are intended to be mixed with water to form a drink. There is no disclosure in D1 of the production of table excipients or that the presence of the sugar in combination with citric acid will reduce the propensity of the resulting granules to stick when subject to compression.

Accordingly, the Applicants submit all claims are novel and inventive over the state of the art and a totally favourable International Preliminary Examination Report is respectfully solicited.

Please acknowledge receipt of this letter; an appropriate EPO Form 1037 will follow with the confirmation copy of this facsimile.

Yours faithfully,

P.A. BOWMAN
LLOYD WISE

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CLAIMS

1. The use of a highly water-soluble sugar in an aqueous solution of citric acid as a binder for the granulation of tablet excipients to reduce the sticking of the tablet excipients when subject to compression.

2. The use as claimed in Claim 1 in which the highly water-soluble sugar is based on simple crystalline C5 or C6 sugar structures and is a mono-, di, tri or polysaccharide with a degree of polymerisation of less than 20, preferably less than 10.

3. The use as claimed in Claim 2 in which the highly water-soluble sugar is selected from glucose, sucrose, maltose, lactose, arabinose, xylose, ribose, fructose, mannose, galactose, sorbose, trehalose, sorbitol, xylitiol, mannitol, maltitol, lactitol, isomaltol, maltodextrin, hydrogenated starch hydrolysed products and mixtures thereof.

4. The use as claimed in Claim 3 in which the sugar is selected from maltitol, lactitol, sucrose, trehalose and mixtures thereof.

5. The use as claimed in any preceding claim in which the weight ratio of citric acid to highly water-soluble sugar is from 1:10 to 10:1.

6. The use as claimed in Claim 5 in which the weight ratio of citric acid to highly water-soluble sugar is from 2:10 to 10:2, preferably 5:10 to 10:5.